

PROB 12B
(7/93)

Report Date: January 19, 2010

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAN 21 2010

**JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON**

Name of Offender: Joseph R. Moses

Case Number: 2:06CR00079-001

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley

Date of Original Sentence: 04/24/2007

Type of Supervision: Supervised Release

Original Offense: Assault with a Dangerous Weapon,
18 U.S.C. §§ 113(3) and 1153

Date Supervision Commenced: 09/08/2008

Original Sentence: Prison - 33 months;
TSR - 36 months

Date Supervision Expires: 09/07/2011

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 20 You shall reside in a residential reentry center (RRC) for a period of up to 120 days. You shall abide by the rules and requirements of the facility and shall participate in programs offered by the facility at the direction of the supervising officer.

CAUSE

On January 15, 2010, Mr. Moses reported to the U.S. Probation Office to submit a urine specimen. During the collection of the urine specimen, the undersigned officer detected the use of a urine deception device. Said device was removed from Mr. Moses, and he was verbally reprimanded for his attempt to introduce contraband to defeat the drug testing program. At that time he admitted to consuming methamphetamine on an off-and-on basis from December 2009 through January 14, 2010. Joseph Moses was subsequently directed to start the application process to determine if he is eligible for state assisted inpatient treatment. Mr. Moses reported to the U.S. Probation Office on January 19, 2010, and provided verification that he is currently scheduled to commence the application process on January 20, 2010, at 4 pm. Furthermore, Mr. Moses agreed that his current environment is impacting his ability to stay away from controlled substances. When reviewing Mr. Moses' options for a sober and clean environment, and a location that will assist him with employment opportunities, he agreed to the above-noted modification. The requested modification is also an appropriate sanction in response to the defendant's non compliance. Should Your Honor concur with said modification, the undersigned officer would request RRC placement following the completion of inpatient substance abuse treatment, if Mr. Moses meets the criteria for said treatment.

Prob 12B

Re: Moses, Joseph R.

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I declare under penalty of perjury that the foregoing is true and correct.


Executed on: 01/19/2010

s/Richard Law

Richard Law
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

1/21/2010
Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

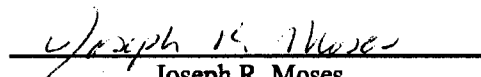
To modify the conditions of supervision as follows:

- 20 You shall reside in a residential reentry center (RRC) for a period of up to 120 days. You shall abide by the rules and requirements of the facility and shall participate in programs offered by the facility at the direction of the supervising officer.

Witness:


Richard B. Law
U.S. Probation Officer

Signed:


Joseph R. Moses
Probationer or Supervised Releasee

January 19, 2010

Date